

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

00-0631

Docket No.

ICC Office Use Only

Everest Broadband Networks of Illinois, Inc.:

Application for a certificate of
interexchange authority to operate as
a reseller of telecommunications
services throughout the State of
Illinois.

ILLINOIS
COMMERCE COMMISSION
Aug 1 10 58 AM '00
CHIEF CLERK'S OFFICE

APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER
(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name (including d/b/a, if any) FEIN # 22-3728627
Everest Broadband Networks of Illinois, Inc.
Address: Street One Executive Drive, Suite 170
City Fort Lee State/Zip New Jersey 07024
2. Authority Requested: (Mark all that apply) ☐ 13-403 ☒ 13-404 ☐ 13-405
3. Request for waivers/variances: In applications for exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting.
☒ Part 710 ☒ Part 735 ☐ Section 735.180 ☐ Other
4. In what area of the state does the Applicant propose to provide service?
Applicant will provide services in various areas of the state. Applicant requests statewide authority.

5. Please attach a sheet designating contact persons to work with Staff on the following:

- a) issues related to processing this application
- b) consumer issues
- c) customer complaint resolution
- d) technical and service quality issues
- e) "tariff" and pricing issues
- f) 9-1-1 issues
- g) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address, if any.

Please see Exhibit 1.

6. Please check type of organization?

☐ Individual ☒ Corporation
☐ Partnership Date corporation was formed April 27, 2000
In what state? Delaware
☐ Other (Specify)

7. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois.

8. List jurisdictions in which Applicant is offering services(s).

Applicant is not offering service in any other jurisdictions. Other wholly-owned subsidiaries of Applicant's parent company, Everest Broadband Networks, Inc., have authority to provide service in New York, New Jersey, Virginia and Washington, D.C., and an application of another such subsidiary is pending in California. Other "sister" subsidiaries of Applicant will be applying for authority to provide telecommunications services in various states in the future.

9. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

☐ YES ☒ NO

10. Have there been any complaints against the Applicant in any other jurisdiction?

☐ YES ☒ NO

If YES, describe fully. _____

11. Will the Applicant keep its books and records in Illinois? ☐ YES ☒ NO

Pursuant to 83 Administrative Code, Part 250, Public Utility Books and Accounts, Applicant requests the Commission's permission to keep its books and records in New Jersey, at its principal place of business. Upon the request of the Commission or Commission staff, Applicant will, at its own expense, forward any necessary copies of its books and records to the Commission. Applicant will maintain its books in accordance with Section 5-106 of the Act.

MANAGERIAL

12. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.

Please see Exhibit 3.

13. List officers of Applicant.

Alan Scime – VicePresident/Secretary/Treasurer

Jeffrey Feldman – President & CEO

14. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services?
☒ YES ☐ NO

Each of the officers of Applicant have ownership interests in Applicant's parent company, Everest Broadband Networks, Inc. ("Everest"). Several wholly-owned subsidiaries of Everest will soon begin providing telecommunications services, including Everest Broadband Networks of New York, Inc., Everest Broadband Networks of New Jersey, Inc. and Everest Broadband Networks of Virginia, Inc. Each of the officers may also own some equity in other telecommunications providers as investments, and in no case own a 5% or greater share in any other telecommunications provider.

15. How will Applicant bill for its service(s)?

Customers are billed on a monthly basis and will receive an invoice from Applicant that will outline the number and type of calls made and the associated charges. A detailed description of billing policies will be outlined in Applicant's tariff.

16. How does Applicant propose to handle service, billing, and repair complaints?

Customers can contact Applicant at its Customer Care Number, 1-800-242-1662. A menu will direct the customers to the proper department based on the issues raised by the customer's complaint. Applicant's Customer Care has an internal escalation list that is positioned to find the source of the problems and allows for a speedy response.

17. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? ☒ YES ☐ NO

18. What telephone number(s) would a customer use to contact your company?

1-800-242-1662

19. What are your procedures to prevent unauthorized "slamming" of customers?

All changes in service will be authorized by the customer and will either be submitted in writing or verified in accordance with applicable federal and state laws and regulations. Applicant will comply with all applicable laws concerning "slamming" and "cramming".

20. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 735, 755, 756, 757, 770 and 772?

Not applicable- Applicant is not requesting authority to operate as a local exchange carrier.

21. Will the applicant sign and return membership forms to the Universal Telephone Assistance Corporation and the Illinois Telecommunications Access Corporation?

No, Applicant is requesting authority to provide interexchange telecommunications services on a resale basis only.

FINANCIAL

22. Please attach evidence of applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

Please see Exhibit 4.

TECHNICAL

23. Does Applicant utilize its own equipment and/or facilities? ☐ YES ☒ NO

If YES, please list: _____

If NO, which facility provider(s)'s services does Applicant use?

Global Crossing, Ltd.

24. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, local service).

Please see Exhibit 5.

25. Will technical personnel be available at all times to assist customers with service problems? ☒ YES ☐ NO

26. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls?
☐ YES ☐ NO

Not applicable. Applicant does not intend to provide payphone service.

Dale E. Thomas
D.E.

Dale E. Thomas
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VERIFICATION

State of NEW JERSEY)
County of Bergen)ss
)

Alan Scrim makes oath and says that he is Vice President

of applicant Everest Broadband Networks of Illinois, Inc., that he has examined the foregoing application and that to the best of his knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.

Alan Scrimge, Vice President

Subscribed and sworn to before me, a Notary Public in the State and County above named, this 27th day of July, 2000.

Notary Public